

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

THE STATE OF TEXAS, *et al.*,

Defendants.

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Case No. 5:21-cv-844-XR

[Lead Case]

EXHIBIT H

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(Consolidated Cases)

**NOTICE OF RULE 30(B)(6) DEPOSITION OF THE OFFICE OF THE TEXAS
SECRETARY OF STATE AND REQUEST FOR DOCUMENTS RELIED UPON BY
RULE 30(B)(6) DESIGNEE**

TO: The Office of the Texas Secretary of State, by and through Patrick K. Sweeten, counsel for the State of Texas et al., Office of the Attorney General for the State of Texas, P.O. Box 125248, Capitol Station, Austin, Texas 78711, and to All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, counsel for the United States and Consolidated Plaintiffs will take the oral deposition of the Office of the Texas Secretary of State, testifying through an individual designated the Office of the Texas Secretary of State to testify on its behalf, concerning the matters listed on Exhibit A to this Notice. The deposition shall commence at 9:00 a.m. on April 26, 2022, at the Office of the United States Attorney for the Western District of Texas, 903 San Jacinto Blvd., Suite 334, Austin, Texas 78701. The deposition shall be recorded by stenographic means and may also be recorded by additional audiovisual means, and shall take place before a notary public or other person authorized by law to administer oaths.

The person designated as deponent shall be prepared to testify as to matters within their knowledge and as to matters known by or reasonably available to the Office of the Texas

Secretary of State. This notice serves to inform the Office of the Texas Secretary of State that it has a duty to make such designation.

The United States further requests that the Office of the Texas Secretary of State produce by April 22, 2022 all documents, if any, that the designee relied on to prepare for testimony as to matters within their knowledge and as to matters known by or reasonably available the Office of the Texas Secretary of State. For the purpose of this Rule 30(b)(6) deposition, “document” is defined to be synonymous in meaning and scope as the term “document” is used under Federal Rule of Civil Procedure 34 and the phrase “writings and recordings” is defined in Federal Rule of Evidence 1001, and includes, but is not limited to, any computer discs, tapes, printouts and emails, and databases, and any handwritten, typewritten, printed, electronically-recorded, taped, graphic, machine-readable, or other material, of whatever nature and in whatever form, including all non-identical copies and drafts thereof, and all copies bearing any notation or mark not found on the original.

Date: March 15, 2022

KRISTEN CLARKE
Assistant Attorney General

PAMELA S. KARLAN
Principal Deputy Assistant Attorney General
Civil Rights Division

/s/ Daniel J. Freeman

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EXHIBIT A

Topics for Oral Examination

1. The subject matter and nature of the contents of all fields of data produced to the United States in this litigation from the Texas Election Administration Management System (TEAM) database.
2. The nature, circumstances, processes, procedures, directions or instructions for, reasoning or rationale for, and basis for recording numerical identifying information in voter registration records, including but not limited to the recording of information collected by the Texas Department of Public Safety, a voter registrar or other valid recipient of a voter registration form, or any online portal.
3. The nature, circumstances, processes, procedures, directions or instructions for, reasoning or rationale for, basis for, and general contents of any import, export, match, comparison, copying, exchange, or other communication of data between the TEAM database and the Department of Public Safety's driver license, identification card, and election identification certificate database, including on a recurring or a non-recurring basis. This includes, but is not limited to, any import, export, match, comparison, copying, exchange, or other communication of data on or around December 20, 2021.
4. The nature, circumstances, processes, procedures, directions or instructions for, reasoning or rationale for, basis for, and general contents of any import, export, match, comparison, copying, exchange, or other communication of data between the TEAM database and county level voter databases, including on a recurring or a non-recurring basis. This includes, but is not limited to, any import, export, match,

- comparison, copying, exchange, or other communication of data from the State to counties on or around January 2022.
5. The existence, processes, procedures, rules, practices, timing, and effectiveness of maintenance practices, accuracy testing, validation testing, or other procedures for determining or ensuring the consistency and accuracy of records in the TEAM database.
 6. The existence, subject matter, nature, reasoning or rationale for, and data related to any efforts to test, validate, study, or gain an understanding of the actual or potential suitability or accuracy of the TEAM database for administering Senate Bill 1's vote by mail identification card number requirements, including any tests, studies, or analyses performed before or after the passage of Senate Bill 1, and the design and results of any such tests, analyses, or studies.
 7. The existence, subject matter, and nature of communications between the Office of the Texas Secretary of State and Legislators, their staff or agents, legislative committees, county officials, lobbyists, groups, associations, organizations, and members of the public from January 1, 2018, to the present concerning the State of Texas's consideration of:
 - a. Changes to the oath required of individuals who provide voter assistance
 - b. Changes to the manner, form, type, timing, or content of permissible voter assistance; and
 - c. A requirement that voters provide numerical identifying information on mail ballot materials.

8. The existence, subject matter, nature, circumstances, and outcomes of communications between the Office of the Texas Secretary of State and counties, election administrators, their staff or agents, organizations or associations, and members of the public regarding complaints, concerns, questions, or requests for assistance related to the implementation of Senate Bill 1, and more specifically:
 - a. Changes to the oath required of individuals who provide voter assistance;
 - b. Changes to the manner, form, type, timing, or content of permissible voter assistance; and
 - c. The requirement that voters provide numerical identifying information on mail ballot materials.

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2022, I served a true and correct copy of the foregoing via electronic mail on all counsel of record.

/s/ Daniel J. Freeman _____

Daniel J. Freeman
Voting Section
Civil Rights Division
U.S. Department of Justice
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